

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: Wythe Berry Fee Owner LLC

24-CV-4718 (DEH)

ORDER

DALE E. HO, United States District Judge:

The above-captioned bankruptcy appeal has been assigned to me for all purposes. The appeal was docketed in the District Court in New York on June 20, 2024. The designation of bankruptcy record was filed on July 3, 2024.

Rule 8009 of the Federal Rules of Bankruptcy Procedures (“FRBP”) requires appellant to file “a designation of the items to be included in the record on appeal and a statement of the issues to be presented.” Among other requirements, Rule 8009 provides that within 14 days after being served, the appellee may file with the bankruptcy clerk and serve on the appellant a designation of additional items to be included in the recorded. The time limits set forth in Rule 8009 are adopted as the Order of this Court.


FRBP Rule 8018 provides for the dates within which briefs are to be served and filed. Under Rule 8018, appellant has 30 days after the docketing of notice that the record has been transmitted or is available electronically to file its opening brief. Appellee must serve and file its brief within 30 days after service of appellant’s brief. Appellant may serve and file a reply brief within 14 days after the service of the appellee’s brief. The filing of appellate briefs is not excused in this case. The time limits set forth in Rule 8018 are adopted as the Order of this Court. Counsel are directed to review and comply with the Court’s Individual Rules (available at the Court’s website, <https://www.nysd.uscourts.gov/hon-dale-e-ho>) to the extent they are not inconsistent with the Federal Rules of Bankruptcy Procedures.

Failure to comply with this order and/or the time limits in Rules 8009 or 8018 will result in dismissal of the appeal (in the case of the appellant) or consideration of the appeal without an appellee's brief (in the case of the appellee).

SO ORDERED.

Dated: July 8, 2024

New York, New York

A handwritten signature in black ink, appearing to read "Dale Ho", is positioned above a horizontal line.

DALE E. HO
United States District Judge